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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,406	09/29/2000	Benoit Vialle	24530.00600	9675

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EXAMINER

BAUTISTA, XIOMARA L

ART UNIT PAPER NUMBER

2179

DATE MAILED: 09/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/675,406

Applicant(s)

VIALLE ET AL.

Examiner

X L. Bautista

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4,6-20 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-20 and 22-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1-4, 6-20 and 22-25 have been considered but are moot in view of the new ground(s) of rejection.

### *Drawings*

2. New corrected drawings are required in this application because they contain informal drawings (figures 1-13); some figures are too dark (figures 1-9) and others include shading and/or very small font, which makes the drawings' elements, labels and details difficult to see, read and understand. Correction is required.

Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

3. The drawings are objected to because they fail to show necessary textual labels of features or symbols in figure 2 as described in the specification. For example, placing a label, "Hard button", with element 128 of fig. 2 would give the viewer necessary detail to fully understand this element without substantial analysis and interpretation of the specification. Please observe that there are two

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elements having the same number 128, and there are other elements that have no number or label.

A descriptive textual label for each numbered element in all these figures would be needed. Any structural detail that is of sufficient importance to be described should be shown in the drawings. Correction is required. See 37 CFR 1.83; 37 CFR 1.84(n)(o) is recited below:

“(n) Symbols. Graphical drawing symbols may be used for conventional elements when appropriate. The elements for which such symbols and labeled representations are used must be adequately identified in the specification. Known devices should be illustrated by symbols, which have a universally recognized conventional meaning and are generally accepted in the art. Other symbols which are not universally recognized may be used, subject to approval by the Office, if they are not likely to be confused with existing conventional symbols, and if they are readily identifiable.

(o) Legends. Suitable descriptive legends may be used, or may be required by the Examiner, where necessary for understanding of the drawing, subject to approval by the Office. They should contain as few words as possible.”

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4, 6-20 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Hawkins et al* (US 6,516,202 B1) and *Nokia* (Nokia 6160 Owner's Manual, published September 1998).

Claims 1, 10 and 17:

Hawkins discloses a method and apparatus for an organizer (personal digital assistant) that may receive a cellular portion to form a cellular telephone. Hawkins teaches initiation of the call device in response to a call signal (col. 3, lines 35-45; col. 4, lines 35-36); displaying a selectable interface of the call device in response to the call signal (fig. 8A, 8B; 9B); the selectable interface is configured to substantially emulate a dial pad of a handheld touch tone phone; receiving a dial signal from the selectable interface to initiate a phone call; and initiating the phone call in response to the dial signal (fig. 8A; col. 7, lines 12-60). Hawkins does not teach that a phone call is placed to a last called phone number if digits are not received from the interface just before a dial signal is received in response to the user selecting a call initiation button. However, Nokia discloses a cellular telephone that automatically stores the numbers the user has dialed (p. 33-34, see: Dialed calls) and enables users to initiate a phone call by pressing an initiation button (Talk button). The phone call is placed to a last dialed (called) number (p. 41, see: Last number redial). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hawkins's mobile computer to include a redial or call-previously-entered-phone-number features because it saves the user precious time (especially when the phone number that is being called is busy for a long time or when several continuous calls to the

same number are necessary) by enabling the caller to just press the Talk button over and over again until the call gets through.

Claims 2, 3, 18 and 19:

See claim 1. Nokia's Talk button is a hard button (see cited paper illustrating the Nokia 6160).

Claims 4, 13, and 20:

Hawkins teaches suspending a current application when the application is other than the call device (col. 4, lines 28-36).

Claims 6 and 22:

Hawkins teaches searching the memory of the organizer for a name associated with a phone number (col. 7, lines 64-67; col. 8, lines 1-8).

Claims 7 and 23:

Hawkins teaches a timer configured to clock the duration of the connection with other phone device (col. 7, lines 28-31; col. 8, lines 40-46; col. 12, lines 44-46).

Claims 8 and 24:

Hawkins teaches receiving a save signal to save a phone number and initiating an address entry application in response to receiving the save signal (col. 5, lines 27-34; col. 6, lines 27-36, 64-67; col. 7, lines 1-6; col. 8, lines 47-52; col. 12, lines 4-5, 16-26).

Claims 9 and 25:

Hawkins teaches a screen that provides the options of hanging up (ending connection), (col. 7, lines 42-44).

Claim 11:

Hawkins teaches that phone calls are placed and received (send, answer, ignore calls) according to the user selections (col. 7, lines 43-60; fig. 8B).

Claims 12, 14, and 15:

Hawkins teaches a display device that is a touch-sensitive screen, having software-generated keys (col. 2, lines 47-54), that identifies a tap input from a user (fig. 8A-8B; col. 6, lines 61-67; col. 7, lines 1-7).

Claim 16:

Hawkins teaches a microphone connected to the organizer, which is configured to receive audio input from a user (col. 3, lines 23-28; col. 11, lines 38-48). The microphone may be deactivated when the user terminates a call by pressing the touch pad (for example by pressing the hang up icon).

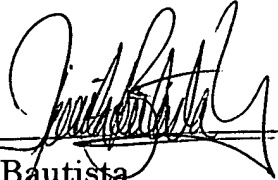
***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L. Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-

6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
X L Bautista  
Primary Examiner  
Art Unit 2179

xlb  
September 1, 2005